| Case | Docket No. | PKZ-030 |
|------|------------|---------|

COMMISSIONER FOR PATENTS Box Patent Application Washington, D.C. 20231

|             | "Express Mail" Mailing Label Number EL 589 752 872 US  |                          |
|-------------|--|--------------------------|
|             | Date of Deposit April 6, 2001  |                          |
|             | I hereby certify that this transmittal letter and the papers referred to as being enclosed therein are be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service in 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Box Papplication, Washington, DC 20231. | nder                     |
|             | Signature Nelson F. Barros   | 20.0<br>20.0<br>20.0     |
|             | Please Print Name of Person Signing  |                          |
| Sir:        |  | j 10                     |
| Transmit    | ted herewith for filing is the patent application of   |                          |
| Inventor(   | (s): Stuart B. Levy, Rebecca S.Y. Wong, and Laura M. McMurry   |                          |
| For:        | NOVEL BLR MOLECULES AFFECTING ANTIBIOTIC SUSCEPTIBILITY  |                          |
| Enclosed    |  |                          |
|             | This is a request for filing a  continuation  divisional application under 37 CFR 1.53(b), of p serial no filed on entitled  | ending prior application |
| X           | 91 pages of specification, 4 pages of claims, 1 pages of abstract.   |                          |
| X           | 2 (Figs. 1A and 1B) sheets of drawings.  |                          |
| X           | An unexecuted Declaration, Petition and Power of Attorney.   |                          |
|             | An assignment of the invention tocover sheet (Form PTO 1595) is also enclosed.   | . A recordation form     |
| X           | Applicant claims small entity status. See 37 CFR 1.27.   |                          |
| X           | Other Transmittal Letter For Diskette Containing Sequence Listing  |                          |
| $\boxtimes$ | Other Sequence Listing (2 pages)   |                          |
| The filing  | g fee has been calculated as shown below:  |                          |

| FOR:                                 | NO. FILED                               | NO. EXTRA |             |
|--------------------------------------|---|-----------|-------------|
| BASIC FEE                            | /////////////////////////////////////// | ///////   | 11111111111 |
| TOTAL CLAIMS                         | 36 - 20                                 | =         | 16          |
| INDEP. CLAIMS                        | 11 - 3                                  | =         | 8           |
| MILITIPLE DEPENDENT CLAIMS PRESENTED |   |           |             |

(Col. 1)

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| x 9=       | \$ 144   |
| x 40       | \$ 320   |
| +135       | \$ 135   |
| TOTAL      | \$954.00 |
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<u>OR</u>

| RATE     | FEE |
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| Please charge my Deposit Account No.        | in the amount of \$. |
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| A duplicate copy of this sheet is enclosed. |                      |

(Col. 2)

## THE FILING FEES ARE NOT BEING PAID AT THIS TIME. X

| The Commissioner is hereby authorized to charge payment of the following fees associated with this |
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| communication or credit any overpayment to Deposit Account No                                      |
| A duplicate copy of this sheet is enclosed.  |

<sup>\*</sup> If the difference in Col. 2 is less than zero, enter "0" in Col. 2.

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|        |            | Any additional filing fees required under 37 C.F.R. 1.16.  Any patent application processing fees under 37 C.F.R. 1.17.  |   |
|        | this appl  | ommissioner is hereby authorized to charge payment of the following fees during the pendency of plication or credit any overpayment to Deposit Account No  icate copy of this sheet is enclosed. |   |
|        |            | Any patent application processing fees under 37 C.F.R. 1.17.   |   |
|        |            | The issue fee set in 37 C.F.R. 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R 1.311(b).  |   |
|        |            | Any filing fees under 37 C.F.R. 1.16 for presentation of extra claims.   |   |
|        |            | ck in the amount of \$ to cover the recording of assignment documents enclosed.  |   |
| X      |            | ss all future communications (May only be completed by applicant, or attorney or agent of record) lizabeth A. Hanley, Esq at Customer Number: 000959 whose address is:                           |   |
|        |            | Lahive & Cockfield, LLP  |   |
|        |            | 28 State Street  |   |
|        |            | Boston, Massachusetts 02109  |   |
| Date:_ | April 6, 2 | 2001 LAHIVE & COCKFIELD, LLP Attorneys at Law  |   |
|        |            | By   |   |

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Stuart B. Levy et al.

Serial No.: N/A

Filed: Herewith

For: NOVEL BLR MOLECULES AFFECTING

ANTIBIOTIC SUSCEPTIBILITY

Attorney Docket No.: PKZ-030

Box Sequence Commissioner for Patents Washington, D.C. 20231

## TRANSMITTAL LETTER FOR DISKETTE CONTAINING SEQUENCE LISTING

Dear Sir:

Enclosed is a diskette which contains a computer readable form of the Sequence Listing for the patent application filed herewith. The Sequence Listing complies with the requirements of 37 C.F.R. § 1.821. The information recorded in computer readable form is identical to the written Sequence Listing appearing on pages 1-2 submitted herewith, as required by 37 C.F.R. § 1.821(f). The computer readable form of the Sequence Listing contained on the enclosed diskette is understood to comply with the requirements of § 1.824(d).

| "Express Mail" mailing label number EL 589 752 872 US   |
|---|
| Date of Deposit April 6, 2001   |
| I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Box Sequence, Washington, D.C. 20231 |
| Signature   |
| Nelson F. Barros  |
| Please Print Name of Person Signing   |

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

Megan E. Williams, Esq.

Reg. No. 43,270